

ALBANY COMMON COUNCIL MINUTES OF A REGULAR MEETING

Monday, November 18, 2013

The Common Council was convened at 7:00 p.m. and was called to order by President Pro Tempore Conti.

The roll being called, the following answered to their names: Council Members Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith.

Also present were the following staff: Cashawna Parker, Nala Woodard, Barbara Samel and Patrick Jordan.

Council Member Bailey led the Pledge of Allegiance.

Majority Leader Herring made a motion to change the order of business to allow for the consideration of RESOLUTION NUMBER 99.112.13R, which was approved by unanimous voice vote.

Majority Leader Herring asked and received majority consent to add RESOLUTION NUMBER 99.112.13R to the agenda, which was approved by unanimous voice vote.

Council Member Calsolaro introduced RESOLUTION NUMBER 99.112.13R, asked for passage and a roll call vote thereon:

RESOLUTION CONGRATULATING THE ALBANY HIGH BOYS' SOCCER TEAM ON BECOMING 2013 BIG 10 CHAMPIONS

WHEREAS, the Albany High Boys' Soccer Team made their first trip to the Section II soccer final to become the best soccer season in school history; and

WHEREAS, the Falcons won the Big 10 for the third time in five seasons and knocked off perennial Suburban Council powers Bethlehem and Shenendehowa and rose to number 16 in the Class AA state rankings, the first time Albany High soccer has been state ranked in 30 years; and

WHEREAS, the team has brought tremendous pride to the school, the alumni and the community and has gained the respect and admiration of the entire Section II soccer community, opening the eyes of non-believers to the quality that exists outside of the suburbs, and

WHEREAS, the team exhibited sportsmanship and class throughout the season and worked to unite people from different cultures, ethnic backgrounds and religions into a common goal.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany congratulates the Albany High Boys' Soccer Team on becoming Big 10 Champions and for their outstanding performance this season. Their actions on the field make the entire City proud.

The resolution passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Rosenzweig, Sano and Smith

Affirmative 13 Negative 0 Abstain 0

Resolution Number 99.112.13R was co-sponsored by Council Members Bailey, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, Konev, O'Brien, Rosenzweig, Sano and Smith.

PUBLIC COMMENT PERIOD

1. Kathy Sheehan, Treasurer, 71 Marsdale Street, Albany, NY (Proposed 2014 Budget);
2. Andrea Wilkinson, 147 South Pearl Street, Albany, NY (Cabaret permits);
3. Marlon Anderson, 491 Livingston Avenue, Albany, NY (SNUG);
4. Donald Hannon, 5368 Hickory Drive, Schenectady, NY (Resolution 96.112.13R in relation to rail transport of hazmat materials);
5. Corrie Terry, 465 Clinton Avenue, Albany, NY (SNUG);
6. Zaid VanNess, 14 North Manning Boulevard, Albany, NY (SNUG);
7. Arkbar King, 229 First Street, Albany, NY (SNUG);
8. Ali Sham Murphy, 464 Livingston Avenue, Albany, NY (SNUG);
9. Mustafa Nagi, 25 Judson Street, Albany, NY (SNUG);
10. Willie White, 7 Morton Avenue, Albany, NY (SNUG and The A+ Program);
11. Clara Phillips (SNUG and Lincoln Park).

President Pro-Tempore Conti made a motion to extend public comment for an additional 30 minutes, which was approved by unanimous voice vote.

12. Cathy Mayville (SNUG);
13. Jermaine Bell, 179 Clinton Avenue, Albany, NY (SNUG);
14. Carol Tansey, 115 Krumkill Road, Albany, NY (Resolution 96.112.13R in relation to rail transport of hazmat materials);
15. Brother Yusef, 67 Ten Broeck Street, Albany, NY (SNUG);
16. Judd Krasher, 48 Grant Avenue, Albany, NY (SNUG);
17. Robert Porter, 564 Park Avenue, Albany, NY (Ordinance 1.11.10 in relation to plumbing);
18. Roshad Caldwell, 465 Livingston Avenue, Albany, NY (SNUG);
19. Clarence Jackson, 23 Borrow Street, Albany, NY (SNUG);
20. Vivian Kornegay, 116 Philip Street, Albany, NY (SNUG);
21. Mona Graham, 62 Ida Yardbrough, Albany, NY (Community).

There being no further speakers, the President Pro-Tempore declared the public comment period closed.

CONSIDERATION OF LOCAL LAWS

Council Member Calsolaro moved to amend LOCAL LAW A-2013 and, as amended, requested it be held:

A LOCAL LAW AMENDING VARIOUS SECTIONS OF THE CODE OF THE CITY OF ALBANY TO ELIMINATE THE POSITIONS OF COMMISSIONER OF PUBLIC SAFETY AND COMMISSIONER OF BUILDINGS AND AMENDING REFERENCES TO THOSE POSITIONS WITH THE APPROPRIATE POSITIONS AND AMENDING THE ASSOCIATED CHAPTERS

BE IT ENACTED by the Common Council of the City of Albany as follows:

Section 1. Chapter 20 (Bureau of Buildings) of the Code of the City of Albany is amended to read as follows:

Chapter 20: ~~[BUREAU OF BUILDINGS]~~ DEPARTMENT OF BUILDINGS AND REGULATORY COMPLIANCE.

§ 20-1. ~~[Creation of Bureau of Buildings.]~~ Creation of Department of Buildings and Regulatory Compliance.

There is hereby created and established~~[, within the Department of Public Safety of the City of Albany, a bureau which shall be known as the "Bureau of Buildings."]~~ a Department of Buildings and Regulatory Compliance.

§ 20-2. ~~[Superintendent of Buildings; head of Bureau of Buildings]~~ Commissioner; qualifications; Deputies and Assistance Commissioners.

~~[The Commissioner of Public Safety of the City of Albany shall appoint a Superintendent of Buildings who shall be the head of the Bureau of Buildings and shall hold office during his pleasure. He shall be either a civil engineer of not less than five (5) years' experience in his profession or an architect, a general building contractor or a person engaged in the supervision of building construction of not less than ten (10) years' actual experience in his profession or occupation. The Commissioner of Public Safety may also appoint such inspectors and other subordinates as may from time to time be prescribed by the Board of Estimate and Apportionment. Before entering upon the performance of the duties of his office, the Superintendent shall execute and file with the City Clerk an official undertaking in such penal sum as may be prescribed by the Common Council.]~~ There shall be appointed by the Mayor, a Commissioner of Buildings and Regulatory Compliance who shall be the head of the Department of Buildings and Regulatory Compliance and carry out the functions and duties thereof, and shall meet the qualifications as provided in the New York State Uniform Fire Prevention and Building Code. The Commissioner shall appoint Deputy or Assistant Commissioners whom shall serve at the Commissioner's pleasure and serve in the Commissioner's absence. The Commissioner, Deputies and Assistant Commissioners are vested with the authority, direction and control over the Department, including the authority to appoint and remove employees of said Department.

§ 20-3. ~~[Superintendent of Buildings]~~ Commissioner; duties.

In addition to the duties found in Chapter 133 of this Code, ~~[The Superintendent of Buildings]~~ the Commissioner shall faithfully execute all laws and ordinances relative to the erection, construction, alteration or removal of buildings or other structures and see that the same are obeyed. He shall have power to make, adopt and enforce such reasonable rules and regulations, not inconsistent with law or the ordinances of the Common Council, as may be reasonably necessary to effect a prompt and efficient exercise of all the powers conferred and the performance of all duties imposed by law or ordinance upon him or the department under his jurisdiction. He shall have power to establish and enforce such reasonable rules and regulations as may be necessary for the government of his department and shall have general supervision over the records of the department and its officers and employees. Said ~~[Superintendent]~~ Commissioner shall have the power to enter into and examine buildings and structures, lots and enclosures of every description to see that all laws of the state and ordinances of the City and rules and regulations of his department are fully enforced. He shall have full power and authority to pass upon and determine all questions arising under the provisions of law or ordinances relative to the plans, manner or method of construction or materials to be used in erecting, altering, repairing, equipping, furnishing or improving any building or structure or concerning the

observance and maintenance of all proper and legal precautions against fire and for public safety in said City. He shall have full power and authority to order and compel the suspension of any work and prohibit the use of any material, machinery or equipment in violation of the provisions of law or the ordinances of said City and may make such tests as he may deem necessary to determine the safety of any building, structure, material, machinery or equipment which it becomes his duty to inspect. He shall have full power and authority to supervise and inspect such erection, construction or alteration and to require that such erection, construction or alteration and the manner and mode thereof and the materials used thereon shall conform to the several provisions of the laws, ordinances and rules and regulations relative thereto.

§ 20-4. Plans and specifications.

All plans and specifications for the erection, construction or alteration of buildings or other structures shall be submitted to the ~~[Superintendent of Buildings]~~ Commissioner for his approval, and no building or other structure shall be erected, constructed or altered until the plans and specifications therefore shall have been approved and a permit issued for such erection, construction or alteration. No permit shall be required for the making of ordinary repairs of buildings or structures or of the plumbing, drainage, electrical wiring or gas piping thereof, but such repairs shall not be construed to include the cutting away of any stone or brick wall or any portion thereof, the removal or cutting of any beams or supports or the removal or closing of any staircase or the alteration of any house sewer or private sewer or drainage system. No change shall be made in the use or occupation of any existing building which will materially alter its character without the permission of the ~~[Superintendent of Buildings]~~ Commissioner and until said building has been reconstructed and modified to conform to the provisions of this chapter and the Building Code.

§ 20-5. Application to vary or modify rules.

When the owner or lessee of any building or structure about to be erected, constructed or altered files with the ~~[Superintendent of Buildings]~~ Commissioner an application for the variation or modification of any rule or regulation or of any provision of law or ordinance relating to the erection, construction or alteration of buildings or other structures, he shall in such application fully set forth the grounds for the desired variation or modification. The plans and specifications for the proposed erection, construction or alteration shall accompany such application. The ~~[Superintendent]~~ Commissioner shall fix a date within a reasonable time for hearing such application and as soon as practicable thereafter render a warrant decision thereon. Upon the hearing, the applicant may appear and be heard. The particulars of each such application and the decision thereon shall be entered in the records of the ~~[Building Department]~~ Department of Buildings and Regulatory Compliance and, in case the application is granted, a permit therefore shall be issued.

§ 20-6. Records.

The ~~[Superintendent of Buildings]~~ Commissioner shall preserve a record of all plans and specifications and of all applications for his approval thereof concerning, affecting or relating to the erection, construction or alteration of buildings or other structures. Such record shall include the date of the filing of each such application; the name and address of the owner of the land on which the building or structure mentioned in such application is situated; the names and addresses of the architect and builder employed thereon; a designation of the premises sufficient to identify the same; and a statement of the nature and proposed use of such building or structure and a brief statement of the decision of the ~~[Superintendent of Buildings]~~ Commissioner upon such application and the date thereof. Such records shall be public records and shall be open to the inspection of the public.

§ 20-7. Right of appeal.

Whenever the [~~Superintendent of Buildings~~] Commissioner shall reject or refuse to approve any plan or specification for or the mode or manner of construction proposed to be used in the erection, construction or alteration of any building or structure, or when it is claimed that the provisions of the Building Code or the provisions of any law or ordinance relative to the erection, construction or alteration of buildings or other structures do not apply, or when it is claimed that the true intent and meaning of said code, laws or ordinances have been misconstrued or improperly interpreted, the owner, or any person aggrieved, or any offices, department, board or bureau of the City may appeal as hereinafter provided.

§ 20-8. [~~Board of Building and Zoning Appeals established.~~] Reserved.

- ~~A. A Board of Building and Zoning Appeals is hereby established. It shall consist of three (3) members to be appointed by and serve during the pleasure of the Mayor. The Board of Building and Zoning Appeals, hereinafter referred to as the "Board," shall hear appeals from the decision of the Commissioner of Buildings authorized by Section 7 of Local Law Number 7, 1936, and appeals from the decision of said Commissioner authorized by the Zoning Ordinance of the City of Albany, enacted April 21, 1924, as amended.~~
- ~~B. Meetings of the Board shall be held at the call of the Chairman. The Board shall keep minutes of its proceedings showing the vote of each member upon every question or, if absent or failing to vote, indicating such fact and shall also keep records of its examinations and other official action. The members of the Board shall serve without compensation.~~
- ~~C. All appeals shall be taken to said Board within ten (10) days from the date of the decision of the Commissioner of Buildings. Such appeal shall be taken by filing in the office of the Commissioner of Buildings a notice of appeal which shall state the matters and things desired to be reviewed and specify the grounds thereof. The Board shall thereupon appoint a time for the hearing of the appeal. Notice of the time and place of hearing the appeal, as fixed by the Board, shall be sent by mail or otherwise to the appellant who, upon such hearing, shall have the right to be present in person or by counsel and to give and furnish evidence in support of his contention. Upon such hearing, the Chairman or any member of the Board shall have power to administer oaths.~~
- ~~D. The Board is hereby authorized and empowered, in relation to appeals pursuant to Section 7 aforesaid, to sustain or reject such appeal, wholly or partially, or may modify the decision of the Commissioner of Buildings and shall make such order as in its opinion ought to be made in the premises, and to that end it shall have all the powers of the Commissioner of Buildings. Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of the law, the Board shall have power, in passing upon appeals, to vary or modify any rule or regulation or the provisions of any existing law or ordinance relating to the construction, structural changes in equipment, alteration or removal of buildings or structures so that the spirit of the law shall be observed, public safety secured and substantial justice done. The decision shall be in writing and shall be filed in the office of the Commissioner of Buildings. Each decision shall, so far as it is practicable, be in the form of a general statement or resolution which shall be applicable to cases similar to, or falling within, the principles passed upon in such decision. If the decision of the Board shall be favorable to the appellant, the Commissioner of Buildings shall issue a permit in accordance therewith.]~~

§ 20-9. Proceeding to enforce law.

The ~~[Superintendent of Buildings]~~ Commissioner is authorized, by and with the advice and consent of the Corporation Counsel, in the name of the City, to maintain actions to restrain the performance of any act contrary to, or in violation of, the rules and regulations of his bureau, laws and ordinances and to prohibit the use or occupation of any building or structure which has been or is being erected, constructed or altered in violation of the provisions of any law, ordinance or rule or regulation relative to the erection, construction or alteration of buildings or structures. In any such action no undertaking shall be required. He may in like manner maintain actions for the recovery of penalties established by law or ordinance.

§ 20-10. Removal of buildings deemed to be nuisances.

Every structure or part thereof erected or placed or permitted to continue contrary to the provisions of this chapter or the Building Code or Sanitary Code shall be deemed to be a common nuisance, and the Commissioner ~~[Superintendent of Buildings]~~ may order the same removed, and in case the owner thereof shall neglect or refuse to remove such structure or part thereof, within five (5) days after notice so to do, the Commissioner ~~[or Superintendent of Buildings]~~ may remove such structure or part thereof at the expense of the owner or may cause the same to be abated in the same manner as other nuisances.

Section 2. Article XI (General Provisions) of Part 3 (Department of Public Safety) of Chapter 42 of the Code of the City of Albany is hereby amended to read as follows:

§ 42-69 ~~[Establishment.]~~ Reserved.

~~[There is hereby established a department known as the "Department of Public Safety."]~~ Reserved.

§ 42-70 ~~[Commissioner of Public Safety.]~~ Reserved.

~~[There shall be appointed by the Mayor a Commissioner of Public Safety, who shall head the Department of Public Safety and carry out the functions and duties thereof. The Commissioner shall serve and hold such office at the pleasure of the Mayor. The Commissioner shall appoint such deputies, directors, and other subordinates as shall be authorized by the Board of Estimate and Apportionment and who shall serve at the Commissioner's pleasure.]~~ Reserved.

§ 42-71 ~~[Scope, powers, and duties of Commissioner.]~~ Reserved.

~~[The Commissioner of Public Safety shall have cognizance, jurisdiction, supervision, and control of the government, administration, disposition, and discipline of the Police Department and the Department of Fire, Emergency, and Building Services, and of the officers and members of said departments. The Commissioner shall possess and exercise fully and exclusively all powers and perform all duties pertaining to the government, maintenance, and direction of said departments, and the apparatus and property thereof and buildings furnished therefor. The Commissioner shall have the general direction and supervision of the expenditure of all moneys appropriated to said departments. In addition, the Commissioner shall possess such other powers and perform such other duties as may be prescribed by the law or by ordinance of the Common Council.]~~ Reserved.

§ 42-72 Police Department reporting requirements.

The Chief of Police shall submit to the Common Council on a quarterly basis, based on the calendar year, the following materials, data and reports:

- A. The number of firearms confiscated separated by the offense they were used in relation to or, if seized as property, whether they were seized alone, with fewer than five other illegal firearms, or with five or more other illegal firearms;
- B. The number of arrests for possession of illegal firearms, the number of arrests for illegal gun trafficking, and a list of gun trafficking charges lodged for gun trafficking offenses, including the number of individuals charged with each of these gun trafficking offenses.
- C. The report shall include written material and mapping of source states for firearms recovered in the City of Albany. This data shall be based on the Bureau of Alcohol, Tobacco and Firearms (ATF) gun tracing of the recovered firearms.
- D. The report shall break down the aggregate data to distinguish between the number of handguns and the number of long guns included in the report.

Section 3. Sections 42-87(C) and (H) of Part 4 (Historic Resources Commission) of Chapter 42 of the Code of the City of Albany are hereby amended to read as follows:

- C. Notice of a proposed designation shall be sent by registered mail to the owner of each property proposed for designation or located adjacent to a property proposed for designation, describing the property and announcing a public hearing by the Commission to consider the designation. Where the proposed designation involves so many properties that individual notice to affected owners is impractical, notice may instead be published at least twice in a newspaper of general circulation at least 10 days prior to the date of the public hearing. Once the Commission has issued notice of a proposed designation, no building permit for work in the affected area shall be issued by the ~~[Commissioner of Public Safety]~~ Commissioner of Buildings and Regulatory Compliance until the Common Council has approved or disapproved the designation, unless the Commission has reviewed the permit request according to the procedures and criteria for a certificate of appropriateness.
- H. Upon Common Council approval of a designation, a list of the landmarks or historic districts designated shall be filed with the City Clerk, the Director of Planning, the ~~[Commissioner of Public Safety]~~ Commissioner of Buildings and Regulatory Compliance, the City Engineer and the Albany County Hall of Records.

Section 4. Sections 42-90(B)(1) and (C)(4) and (5) of Part 4 (Historic Resources Commission) of Chapter 42 of the Code of the City of Albany are hereby amended to read as follows:

§ 42-90 Certificate of appropriateness.

- B. Building, grading, and roadwork permit requirements.
 - (1) No permit for signage, new construction, repair, alteration, a sidewalk barricade, demolition or any other work that will affect the exterior of a landmark or a property within an historic district, and no permit for subsurface excavation in any area of archaeological sensitivity or potential archaeological sensitivity, shall be issued by the ~~[Commissioner of Public Safety]~~ Commissioner of Buildings and Regulatory Compliance until the applicant has obtained a certificate of appropriateness. No permit for grading or roadwork shall be issued by the City Engineer until the applicant has obtained a certificate of appropriateness. Any application for a permit for such work shall be referred to the City Planning Office.

C. Certificate of appropriateness: procedures and requirements.

- (4) After reviewing an application, the Commission shall make a decision within 45 days of the determination that the application is complete, except that upon a vote of the Commission to hold a public hearing or upon notification of the ~~[Commissioner of Public Safety]~~ Commissioner of Buildings and Regulatory Compliance that additional time is necessary for consideration and review, the Commission shall have a forty-five-day extension to make its decision. The Commission may hold a public hearing on the application at which an opportunity will be provided for public comment. In the event that no decision is made by the Commission within the allotted time, the permit may be issued without a decision of the Commission.
- (5) Each decision of the Commission shall be in writing and, if an approval with or without conditions or modifications, shall be in the form of a certificate of appropriateness. Copies of the decision shall be sent to the applicant and to the ~~[Commissioner of Public Safety]~~ Commissioner of Buildings and Regulatory Compliance, and a copy shall be filed in the Planning Office for public inspection. The Commission's decision shall state the reasons for denying or modifying any application.

Section 5. Section 42-92(B) of Part 4 (Historic Resources Commission) of Chapter 42 of the Code of the City of Albany is hereby amended to read as follows:

- B. It shall be the duty of the ~~[Commissioner of Public Safety]~~ Commissioner of Buildings and Regulatory Compliance to inspect any such work during the course of construction to ensure compliance. In the event that any such inspection reveals that the work is not being carried out in compliance with the certificate of appropriateness, the Commissioner shall order the work to cease and may order corrections to be made. In addition, the Commissioner may revoke the building permit.

Section 6. Section 42-96 of Part 4 (Historic Resources Commission) of Chapter 42 of the Code of the City of Albany is hereby amended to read as follows:

~~§ 42-96. Limitation of powers.~~

~~[This article shall in no way affect, supersede or abridge any emergency powers or any other powers of the Commissioner of Public Safety as to public safety, health and welfare.]~~ Reserved.

Section 7. Section 42-360(A) and (B)(4) of Part 35 (Office of the City Archaeologist) of Chapter 42 of the Code of the City of Albany is hereby amended to read as follows:

- A. The City Archaeologist shall be a professional archaeologist who meets the professional qualification standards set forth in the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. The City Archaeologist shall advise the Mayor, the Common Council, the Historic Resources Commission, the Planning Board, the Board of Zoning Appeals, the ~~[Commissioner of Public Safety]~~ Department of Buildings and Regulatory Compliance, the Engineering Department, and the Planning Department on archaeological matters in the City of Albany.
- B. The City Archaeologist shall have the following duties:

- (4) To render advisory opinions to the Mayor, the Common Council, the Historic Resources Commission, the Planning Board, the Board of Zoning Appeals, the ~~[Commissioner of Public Safety]~~ Department of Buildings and Regulatory Compliance, the Engineering Department, and the Planning Department with regard to archaeological resources;

Section 8. Section 231-5 of Part 2 (Housing Code) of Chapter 231 of the Code of the City of Albany is hereby amended to read as follows:

§ 231-5 Title; Director.

This code shall be known as the "Housing Code of the City of Albany, New York," which provides housing standards applicable to residential premises within the boundaries of said City and all annexations thereto. The Commissioner of ~~[Buildings]~~ the Department of Buildings and Regulatory Compliance shall also be known as the "Director of Housing" under the provisions of this code.

Section 9. Section 231-103 of Part 3 (General Provisions) of Chapter 231 of the Code of the City of Albany is hereby amended to read as follows:

§ 231-103 Administrative agency.

- A. The ~~[Bureau of Code Enforcement of the Department of Buildings]~~ Department of Buildings and Regulatory Compliance of the City of Albany, New York, is hereby designated as the agency to administer and secure compliance with this code. Such agency is hereinafter referred to as ~~["the Bureau."] "the Department."~~
- B. The ~~[Bureau]~~ Department shall be under the direction and charge of the Commissioner of ~~[Buildings]~~ the Department of Buildings and Regulatory Compliance as chief officer of said ~~[Bureau]~~ Department, who shall have as his representatives such assistants and inspectors as may be necessary to carry out effectively the powers and duties of the ~~[Bureau]~~ Department.
- C. All personnel of the ~~[Bureau]~~ Department shall be qualified and appointed as prescribed by the laws of the City of Albany and the rules and regulations of ~~[Department of Buildings]~~ the Department of Buildings and Regulatory Compliance.

Section 10. Section 255-43 of Article VIII (Public Nuisance Abatement) of Chapter 255 of the Code of the City of Albany is hereby amended to read as follows:

§ 255-43 Findings and intent.

The Common Council of the City of Albany finds that public nuisances exist in the City of Albany in the operation of certain establishments and the use of property in flagrant violation of the penal laws relating to controlled substances, dangerous drugs, prostitution, stolen property and illegal use or possession of weapons, as well as other provisions of state and local law, all of which substantially and seriously interfere with the interest of the public in the quality of life and total community environment, commerce in the City, property values and the public health, safety and welfare. The Common Council further finds that the occurrence of such activities and violations is detrimental to the health, safety and welfare of the City of Albany and of the businesses thereof and visitors thereto. It is the purpose of this article to authorize and empower the ~~[Commissioner of Public Safety]~~ Chief of Police to impose sanctions and penalties for such public nuisances, and such powers may be exercised either in conjunction with, or apart from, the powers contained in other laws without prejudice to the use of procedures and remedies available under such other laws. The Council further finds that the

sanctions and penalties imposed by the [~~Commissioner~~] Chief pursuant to this article constitute an additional and appropriate method of law enforcement in response to the proliferation of the above described public nuisances. The sanctions and penalties are reasonable and necessary in order to protect the health and safety of the people of the City of Albany and to promote the general welfare.

Section 11. Section 255-44 of Article VIII (Public Nuisance Abatement) of Chapter 255 of the Code of the City of Albany is hereby amended to read as follows:

§ 255-44 Definitions.

For the purposes of this article, the following terms shall have the meanings indicated, unless the context clearly requires otherwise:

CHIEF

The Chief of Police or his or her designee.

[COMMISSIONER]

~~The Commissioner of Public Safety or his or her designee.]~~

Section 12. Sections 255-45 and 255-46 of Article VIII (Public Nuisance Abatement) of Chapter 255 of the Code of the City of Albany are hereby amended to read as follows:

§ 255-45 Remedies to abate public nuisances.

In addition to the enforcement procedures established elsewhere in this article, the [~~Commissioner~~] Chief, after notice and opportunity for a hearing, shall be authorized:

- A. To order the discontinuance of such activity at the premises where such public nuisance exists; and/or
- B. To order the closing of the premises to the extent necessary to abate the public nuisance.

§ 255-46 Service of notice.

- A. Prior to the issuance of an order by the [~~Commissioner~~] Chief, pursuant to this article, the [~~Commissioner~~] Chief shall give notice and opportunity for a hearing to the owner, and any other person directly or indirectly in control of the premises wherein the public nuisance is being conducted, maintained or permitted. Such notice and opportunity to be heard may be given to a mortgagee of the premises. Such notice shall be served upon an owner or any other person directly or indirectly in control of the premises pursuant to Article 3 of the New York State Civil Practice Law and Rules, and upon a mortgagee by means of certified mail, return receipt requested, sent to the mortgagee's last known address, provided that any service other than delivery to the person to be served shall be complete immediately upon delivery, mailing or posting without the necessity of filing proof of service with the clerk of the court.
- B. The notice provided for in Subsection A of this section shall:
 - (1) Specify the activity creating the public nuisance;

- (2) Provide 30 days for elimination of the public nuisance;
- (3) Inform the person to whom it is directed of their right to apply within 10 days of service of the notice for a hearing before the [~~Commissioner~~] Chief;
- (4) Inform the owner or any other person directly or indirectly in control of the premise that upon expiration of 30 days after service without a hearing before the [~~Commissioner~~] Chief, or upon noncompliance with any written agreement reached at the hearing, the [~~Commissioner~~] Chief shall act to obtain compliance as provided by this article; and
- (5) Inform the owner or any other person directly or indirectly in control of the premises of the obligation to post a copy of the notice within five days, in a conspicuous place, so that all premises occupants and others entering the premises shall have notice that the public nuisance is being conducted, maintained or permitted on the premises and that upon expiration of 30 days after service of the notice, the [~~Commissioner~~] Chief shall act to obtain compliance as provided in this article, including, but not limited to, closing the premises.

Section 13. Section 255-48 and 255-49 of Article VIII (Public Nuisance Abatement) of Chapter 255 of the Code of the City of Albany are hereby amended to read as follows:

§ 255-48 Issuance of order.

The [~~Commissioner~~] Chief shall issue the order provided for in § 255-45 of this article by posting said order on the premises wherein the public nuisance is occurring and mailing a copy by first class mail of said order to the owner, mortgagee or any other persons directly or indirectly in control of the premises, within one business day of the posting of said order on the premises.

§ 255-49 Enforcement of order.

- A. No sooner than five business days after the issuance of an order pursuant to §§ 255-45 and 255-48 of this article, and upon the directive of the [~~Commissioner~~] Chief, officers of the Albany Police Department are authorized to act upon and enforce such order.
- B. Where the [~~Commissioner~~] Chief closes a premises pursuant to this section, such closing shall be for such period as the [~~Commissioner~~] Chief may direct, but in no event shall the closing be for a period of greater than one year from the issuance of the order.
- C. Upon receiving a copy of the order issued by the [~~Commissioner~~] Chief, pursuant to §§ 255-45 and 255-48 of this article, the Corporation Counsel shall maintain a special proceeding to affix a civil penalty in the amount up to \$5,000, and to collect any costs and expenses incurred by the City of Albany, in commencing the proceeding, closing the premises and in relocating any occupants on the premises. The Corporation Counsel shall file a notice of pendency of the proceeding in the Albany County Clerk's office.
- D. The judgment in such proceeding, in favor of the City of Albany, shall establish the penalty sued for with costs and disbursements as a lien upon the premises, subject only to taxes, assessments, water rates, mortgages and mechanics' liens as they exist thereon.

Section 14. Section 255-51, 255-52 and 255-53 of Article VIII (Public Nuisance Abatement) of Chapter 255 of the Code of the City of Albany are hereby amended to read as follows:

§ 255-51 Closing not possession.

A closing directed by the [~~Commissioner~~] Chief pursuant to this article shall not constitute an act of possession, ownership or control by the City of Albany of the closed premises.

§ 255-52 Disobedience of order.

- A. It shall be a misdemeanor for any person to use or occupy, or to permit any other person to use or occupy, the premises, or any portion thereof, ordered closed by the [~~Commissioner~~] Chief.
- B. Mutilation or removal of a posted order of the [~~Commissioner~~] Chief shall be punishable by a fine of not more than \$250, or by imprisonment not exceeding 15 days, or both, provided that such order contains therein a notice of such penalty.
- C. Intentional disobedience of or resistance to any provision of the order issued by the [~~Commissioner~~] Chief, in addition to any other punishment prescribed by law, shall be punishable by a fine of not more than \$500, or imprisonment not exceeding six months, or both.
- D. Each day's violation shall constitute a separate offense.

§ 255-53 Promulgation of rules and regulations.

The [~~Commissioner~~] Chief may promulgate such rules and regulations as may be necessary to carry out the provisions of this article.

Section 15. Section 307-4 of Chapter 307 of the Code of the City of Albany is hereby amended to read as follows:

§ 307-4 Definitions.

As used in this chapter, and unless otherwise expressly stated, the following terms shall be defined as stated:

ADMINISTRATOR

The [~~Director of the Division of Buildings and Codes~~] Commissioner of the Department of Buildings and Regulatory Compliance of the City of Albany or his designee.

Section 16. Section 353-14 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

As used in this article, the following words shall have the meanings set forth in this section:

COMMISSIONER CHIEF

The ~~Commissioner of Public Safety~~ Chief of Police or his or her designee.

Section 17. Section 353-16 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

With the advice and consent of the Common Council, the ~~Commissioner~~ Chief may set a limit on the number of medallions to be issued in the interest of public convenience and necessity.

Section 18. Section 353-17(H) of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

H. For new applications filed on or after the effective date hereof and renewal applications filed on or before December 31, 2002, the following shall also be required:

- (1) Three untouched photographs of such size as may be prescribed by the ~~Commissioner~~ Chief taken within 30 days of the date of filing of the application.
- (2) The fingerprinting of the applicant by the Police Department of the City of Albany, and the set of fingerprints which accompanies the application shall be kept on file at the office of the ~~Commissioner~~ Chief as a permanent record. The ~~Commissioner~~ Chief shall cause an investigation to be made relative to the character and criminal record, if any, of every applicant and shall forward the applicant's finger prints and the processing fee set forth herein to the New York State Division of Criminal Justice Services for its review and report. The fee for the investigation and fingerprinting shall be \$25, payable to the Albany Police Department, and \$50 payable to the New York State Division of Criminal Justice Services.
- (3) A consent signed by the applicant, on a form provided by the ~~Commissioner~~ Chief, permitting any person to divulge and report to the ~~Commissioner~~ Chief any matter which might, without such consent, be deemed confidential.

Section 19. Section 353-19 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- A. The ~~Commissioner~~ Chief shall investigate the applicant's qualifications and background and consider the following in determining whether the applicant is eligible to be issued a taxicab medallion:
- (1) Whether the applicant has complied with all provisions of this article.
 - (2) Whether the applicant is a current or former holder of a taxicab medallion which has been suspended or revoked and, if so, for what cause.
 - (3) Whether the applicant has been convicted of a crime.
 - (4) Whether the applicant meets the criteria set forth in Article 23-A of the Correction Law of the State of New York.
- B. Upon consideration of the factors listed above, the ~~Commissioner~~ Chief may refuse to certify an applicant as eligible to receive a taxicab medallion based on any of the factors listed above. Written notification of such denial shall be sent to the applicant at the address indicated on the application, stating the reason for the denial of the medallion. Upon the applicant's written

request addressed to the ~~Commissioner~~ Chief, a hearing shall be granted within 10 days of the ~~Commissioner~~ Chief's receipt of request. The applicant is entitled to be represented by counsel.

- C. The ~~Commissioner~~ Chief shall otherwise issue taxicab medallions to any qualified applicant.

Section 20. Section 353-20(D) and (F) of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- D. Failure by the owner to maintain such logs shall serve as a basis for the ~~Commissioner~~ Chief to prohibit such taxicabs, even if medallioned, from operating within the City of Albany, in addition to any other penalty authorized by this article for a period to be specified by the ~~Commissioner~~ Chief.
- F. The ~~Commissioner~~ Chief shall immediately notify the New York State Commissioner of Motor Vehicles upon the conviction of any taxicab owner or operator not medallioned by the City of Albany for operating in the City in violation of Subsection A. The Commissioner shall revoke such owner's or operator's taxi and livery registrations as provided in § 401, Subdivision 7C, of the Vehicle and Traffic Law of the State of New York.

Section 21. Section 353-23 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- A. No taxicab medallion shall be transferred or assigned except upon approval by the Commissioner based on a written application to the ~~Commissioner~~ Chief.
- B. A medallion holder shall give written notice to the ~~Commissioner~~ Chief within 10 days of any change of address or phone number.

Section 22. Section 353-25 and 353-26 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany are hereby amended to read as follows:
§ 353-25 Identification of taxicabs.

The ~~Commissioner~~ Chief is hereby empowered in the exercise of discretion to require owners and operators of medallioned taxicabs to display distinctive colors, emblems, signs or other devices on each taxicab in order to provide prospective passengers an opportunity to differentiate between taxicabs owned or operated by different owners.

§ 353-26 Display of taxicab medallions.

A taxicab medallion issued pursuant to this article shall be displayed in the manner prescribed by the ~~Commissioner~~ Chief. No one other than the ~~Commissioner~~ Chief is authorized to adhere or remove a medallion to or from a taxicab. Medallions may, in the discretion of the ~~Commissioner~~ Chief, be of a different or alternating color or otherwise distinguished for each year of issuance.

Section 23. Section 353-28 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- A. All taxicabs assigned a medallion by the City of Albany shall conform to the following requirements:

- (1) Exterior requirements: headlights, taillights, brake lights, directional signal lights, windshield, windshield wipers, backup lights, defrosters (front and rear) and horn, all other vehicle glass, a minimum of four doors, door locks, trunk lid, trunk hood, splash shields, bumpers and fenders. Body and tires shall be maintained in a clean condition and in good working order. Unless the wheel rims are specifically designed to eliminate the need for hubcaps, vehicles must be equipped with four hubcaps. There shall be no tears, holes or large rust spots in the vehicle body and no loose pieces, such as fenders, bumpers or trim, hanging from the vehicle body. The body, including the color scheme, owner's trademark, name, monogram, phone number, cab number (minimum of four inches in height on both sides of the vehicle), insignia or other marking shall be well painted and in a clean and orderly appearance.
 - (2) Interior requirements. The interior of each vehicle shall be maintained in a clean condition, free of foreign matter and offensive odors. There shall be no litter in the vehicle or trunk. Seats and floor mats shall be kept clean and without holes or large wear spots.
 - (3) Posted notices. There shall be posted conspicuously on the interior and exterior of each taxicab the phone number of the ~~Commissioner~~ Chief indicating where to direct any complaints relative to the fare charged, appearance or functioning of the vehicle or the conduct of the driver.
 - (4) On and after June 1, 2002, no taxicab shall be older than seven years old.
- B. Before any taxicab can initially be placed in operation, such vehicle shall be inspected by the ~~Commissioner~~ Chief as to the requirements listed in Subsection A(1) and (2) above, and no taxicab medallion will be issued for such vehicle until it has been found that the exterior and interior of such vehicle is clean, fit and of good appearance. The ~~Commissioner~~ Chief shall inspect all taxicabs for these requirements twice a year.
- C. Every owner or operator shall have each medallioned taxicab submitted to a New York State motor vehicle inspection every six months. Valid proof of such inspection shall be by certificate issued by a licensed New York State inspection station certifying that the vehicle meets all requirements of the Vehicle and Traffic Law of the State of New York. Certifications shall be made on a form to be supplied by the ~~Commissioner~~ Chief.
- D. The ~~Commissioner~~ Chief shall also have the right to inspect all taxicabs from time to time or on the complaint of any citizen. If the ~~Commissioner~~ Chief finds that a vehicle does not meet the requirements of this section, he may, in his discretion, suspend or revoke the owner's taxicab medallion or the driver's hack license. It shall be the responsibility of the medallion owner to ensure that its taxicabs meet the above requirements in § 353-28A(1), (2) and (3) before going into service. Failure of the medallion owner to comply may result in the taking of the medallion and a hearing held in accordance with § 353-19. Fines may be assessed.

Section 24. Section 353-29(A) of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- A. The ~~Commissioner~~ Chief is authorized to designate taxicab stands, along with the number of taxicabs that shall be allowed to park or stand at each location.

Section 25. Section 353-30(C) of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- C. Maps. The map set forth in § 353-30A of this article bearing the seal of the City of Albany depicting both the zones within the City of Albany, fares and waiting time charges established herein and the consumer information set forth therein in a format approved by the ~~Commissioner~~ Chief shall be conspicuously displayed inside every medallioned taxicab so as to be clearly visible to all passengers in the vehicle. In addition, such map shall be clearly affixed to the exterior of every medallioned taxicab. The specific locations and manner of affixation of such maps shall be as prescribed by the rules and regulations promulgated pursuant to this article.

Section 26. Section 353-32 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

Upon request of the passenger, the taxicab driver shall provide a receipt upon a form approved by the ~~Commissioner~~ Chief containing the following information:

- A. The name of the taxicab company and medallion number of such taxicab.
- B. Trip origin and terminus.
 - (1) The date and place the trip originated.
 - (2) The date and place of trip termination.
- C. The number of passengers for which the paying party paid a fare.
- D. The total fare charged.
- E. The printed and signed name of the driver.
- F. The telephone number where a complaint may be directed:
 - (1) Phone: ~~Commissioner~~ Chief.
 - (2) Phone: Taxicab company.

Section 27. Sections 353-34 thru 353-35 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany are hereby amended to read as follows:

§ 353-34 Maintenance and availability of records.

- A. Each owner or operator of a taxicab assigned a medallion pursuant to this article shall keep or cause to be kept a legible record of every trip for which a fare is collected. The record shall include information as to the date, time of day, point of origin, point of destination and fare for each trip, together with any other information as the ~~Commissioner~~ Chief, in his discretion, may require and shall be in the form as follows:

- (3) Does not meet the standards as embodied in Article 23-A of the Corrections Law of the State of New York.
 - (4) Violation of any other provision of this article or any rule or regulation of the ~~Commissioner~~ Chief.
- B. Immediately upon revocation of a taxicab medallion, the ~~Commissioner~~ Chief shall notify the Commissioner of the New York State Department of Motor Vehicles of such revocation. As provided in § 401, Subdivision 7C, of the New York State Vehicle and Traffic Law, the Commissioner shall revoke the licensee's tax and livery registrations.

§ 353-36 Surrender of taxicab medallion.

- A. Taxicab medallions which have been suspended or revoked by the ~~Commissioner~~ Chief shall be surrendered forthwith to the ~~Commissioner~~ Chief, and the operation of any taxicab or taxicabs covered by such medallion shall cease.
- B. Taxicab medallions for taxicabs needing repairs reasonably requiring 60 days or more to complete shall be surrendered to the ~~Commissioner~~ Chief. Such medallions shall be reinstated upon satisfactory inspection by the ~~Commissioner~~ Chief.
- C. The time limitations set forth in Subsection B may be extended by the ~~Commissioner~~ Chief in his discretion upon written request of the medallion holder.
- D. No taxicab medallion shall be transferred or affixed to any other vehicle except by or upon the express authorization of the ~~Commissioner~~ Chief.

Section 28. Section 353-38(B) and (C) of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- B. The application for a hack license shall be submitted to the ~~Commissioner~~ Chief on such form or forms as shall be required by him, and the information provided by the application shall be sworn to or given under the penalties of perjury.
- C. The application shall also include:
 - (1) Three untouched photographs of such size as may be prescribed by the ~~Commissioner~~ Chief taken within 30 days of the date of filing of the application.
 - (2) The fingerprinting of the applicant by the Police Department of the City of Albany, and the set of fingerprints which accompanies the application, shall be kept on file at the office of the ~~Commissioner~~ Chief as a permanent record. The ~~Commissioner~~ Chief shall cause an investigation to be made relative to the character and criminal record, if any, of every applicant and shall forward the applicant's fingerprints and the processing fee set forth herein to the New York State Division of Criminal Justice Services for its review and report. The fee for the investigation and fingerprinting shall be \$25, payable to the Albany Police Department, and \$50 payable to the New York State Division of Criminal Justice Services.

- (3) A consent signed by the applicant, on a form provided by the ~~Commissioner~~ Chief, permitting any person to divulge and report to the ~~Commissioner~~ Chief, any matter which might, without such consent, be deemed confidential.
- (4) A certified copy of the applicant's driving record obtained by the applicant from the Department of Motor Vehicles.
- (5) A statement indicating that the applicant has read, and fully understands, all of the provisions of this article.

Section 29. Section 353-39 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- A. After receipt of an application, the ~~Commissioner~~ Chief shall do a background investigation of the applicant to determine if he meets the requirements of § 353-38.
- B. The ~~Commissioner~~ Chief may require the applicant to submit a certificate from a duly licensed physician certifying that he has examined the applicant within 30 days prior to the filing date of the application and, in his opinion the applicant does not have any physical or mental condition which would affect the ability of the applicant to safely operate a motor vehicle.
- C. If the applicant does not meet the requirements of § 353-38, the ~~Commissioner~~ Chief shall deny the applicant's hack license application.

Section 30. Section 353-40 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany is hereby amended to read as follows:

- A. Upon the written approval by the ~~Commissioner~~ Chief of the application for a hack license in accordance with the foregoing procedures, a hack license shall be issued to the applicant. The license shall be in a form to be prescribed by the ~~Commissioner~~ Chief and shall contain a photograph of the licensee, his signature and his right thumb print. The license shall become invalid if defaced or if any entry is made thereon by anyone other than the ~~Commissioner~~ Chief. Except for licenses issued for the year 2002 (which shall expire on March 1, 2003), a hack license shall be valid for a period not to exceed one year and shall expire on March 1 following the year issued.
- B. A hack badge shall be issued with a hack license. It shall be of a form as prescribed by the ~~Commissioner~~ Chief; it shall be imprinted with the hack license number; and it shall be displayed on the right upper portion of the licensee's outer clothing.
- C. The hack license shall be displayed in a plastic sleeve in the center of the dashboard so as to be visible to any passenger in the taxicab.

Section 31. Section 353-41.1 and 353-42 of Article II (Taxicabs and Hacks) of Chapter 353 of the Code of the City of Albany are hereby amended to read as follows:

§ 353-41.1 Training program and certification.

Within one year of licensure, and every five years thereafter, all licensees shall attend and successfully complete a training program organized and conducted by the ~~Commissioner~~ Chief. Such program shall train licensees in the licensing and conduct requirements of this article together with such other

information deemed necessary by the ~~Commissioner~~ Chief. Licensees shall be provided with certificates by the ~~Commissioner~~ Chief attesting to their successful completion of the program and the date thereof.

§ 353-42 Renewal of hack license.

- A. A hack license shall be renewable upon compliance with the foregoing provisions of this article relating to hack licenses, provided that the application is filed not less than 30 days nor more than 60 days prior to expiration of the current license on a form supplied by the ~~Commissioner~~ Chief. Renewal applications shall be accompanied by a certified copy of the applicant's driving record obtained by the applicant from the Department of Motor Vehicles. The fee for renewal shall be \$100.
- B. The ~~Commissioner~~ Chief shall, upon application for renewal, make such background check of the applicant which, in his discretion, is appropriate. At a minimum, it shall include criminal records and Department of Motor Vehicle checks.

Section 32. Section 375-8 of Article II (Interpretation, Word Usage and Definitions) of Chapter 375 of the Code of the City of Albany are hereby amended to read as follows:

§ 375-7 Definitions.

ADMINISTRATOR

The [~~Commissioner of Buildings~~] Commissioner of the Department of Buildings and Regulatory Compliance of the City of Albany, New York, or another City official who is designated by law to fulfill the duties of that position.

Section 33. Section 375-8 of Article III (Enforcement and Administration) of Chapter 375 of the Code of the City of Albany are hereby amended to read as follows:

§ 375-8 [~~Commissioner of Buildings~~] Commissioner of the Department of Buildings and Regulatory Compliance.

The [~~Commissioner of Buildings~~] Commissioner of the Department of Buildings and Regulatory Compliance is hereby given the duty, power and authority to administer and enforce the provisions of this chapter. The Commissioner or a designee shall:

- A. Issue permits for proposed projects that are found to comply with all applicable ordinances and codes.
- B. Inspect approved projects during construction and upon completion to ensure compliance with this chapter and other applicable ordinances and codes.

Section 34. This local law shall take effect upon final passage, public hearing and filing with the Secretary of State.

The remaining local laws on the agenda were held at the request of Majority Leader Herring.

REPORTS OF STANDING COMMITTEES

Finance, Taxation and Assessment – Chairperson Sano stated that the committee has been meeting over the last two months to review Ordinance Number 50.101.13 relating to the budget. A Policy/Fiscal Analyst position was added to the Common Council budget, the stipend for the Board of Assessment Review was increased and park fees were also increased. The Chairman thanked committee members and other council members that came to voice concerns. He discussed SNUG and finding funding for the program after the new Mayor took office.

Public Safety – Chairperson Smith stated that the committee would be meeting on November 26, 2013 with the Albany Police Department to discuss their strip search policy and training in residential neighborhoods.

Law, Buildings and Code Enforcement – Chairperson Igoe stated that the committee would be meeting on November 25, 2013 to discuss Ordinance Number 52.101.13 in relation to street side memorials, Ordinance Number 54.112.13 in relation to fees and Ordinance Number 43.91.13 in relation to taxicab bill of rights.

General Services, Health and Environment - Chairperson O'Brien stated that the committee would be meeting on November 21, 2013 to interview the two applicants to the Pest Management board.

Council Operations and Ethics – Chairperson Conti stated that the committee would be meeting on November 19, 2013 to discuss Resolution Number 72.91.13R appointing Joseph Cunniff to the PEG Access Oversight Board.

REPORTS OF AD HOC COMMITTEES

Park South Ad Hoc Committee – Chairperson Conti stated that the committee would be meeting on November 20, 2013 to discuss responses to public comments heard at the Planning Board meeting on the Park South Redevelopment Plan and from the Common Council's public hearings.

CONSIDERATION OF ORDINANCES

Council Member Igoe introduced ORDINANCE NUMBER 54.112.13, which was referred to the Law, Buildings and Code Enforcement Committee:

AN ORDINANCE AMENDING CHAPTER 231 (HOUSING) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO FEES

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Subsection C of Section 231-144 of Article XII (Registration of Rental Dwellings) of Chapter 231 (Housing) of the Code of the City of Albany is hereby repealed:

Section 231-1244 Fees; exemptions.

~~[C. Payment of the applicable fee under this section shall not be due until the Department has conducted an inspection of the subject premises and written notice is delivered to the owner thereof that the Department is prepared to issue a residential occupancy permit as required under Part 4 of this chapter for such premises.]~~

Section 2. This ordinance shall take effect immediately.

Council Member Calsolaro introduced ORDINANCE NUMBER 55.112.13, which was held:

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF A PERMANENT EASEMENT TO THE CITY SCHOOL DISTRICT OF ALBANY OVER, UPON AND UNDER A PORTION OF LINCOLN PARK IN THE CITY OF ALBANY

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. It is hereby authorized that the City of Albany grant a permanent easement to the City School District of Albany over, upon and under a portion of Lincoln Park, adjacent to and in conjunction with the Sunshine School in the City of Albany.

Section 2. The form, content, terms and conditions of such easements shall be approved by the Corporation Counsel.

Section 3. The Grantees shall not hinder, interfere with, prevent, delay, obstruct or adversely affect the Grantor in the reasonable exercise of its governmental operations or function.

Section 4. This ordinance shall take effect immediately.

Majority Leader Herring asked and received majority consent to add Ordinance Number 56.112.13 to the pending agenda, which was approved by unanimous voice vote.

Majority Leader Herring asked and received unanimous consent to allow for the passage of Ordinance Number 56.112.13, which was approved by unanimous voice vote.

Majority Leader Herring on behalf of President Pro Tempore Conti introduced ORDINANCE NUMBER 56.112.13, asked for passage and a roll call vote thereon:

AN ORDINANCE AMENDING ARTICLE VIII (RESIDENTIAL PARKING PERMIT SYSTEM) OF CHAPTER 359 (VEHICLE AND TRAFFIC) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO BUSINESS PERMITS

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Section 359-79 (Fees) is amended to read as follows:

A. The City Clerk shall collect the following fees at the time a permit is issued:

- (1) Residential parking permit: \$20.
- (2) Transient residential parking permit: \$15.
- (3) Nonresident business/property owner permit: [~~\$25~~] \$20.
- (4) Visitor permit:

(i) \$5 when purchased by a resident purchasing a residential parking permit;

(ii) \$10 when purchased by a resident not purchasing a residential parking permit.

(5) Replacement/transfer permit: \$10.

B. All fees shall be credited to the general fund of the City.

Section 2. This ordinance shall take effect immediately.

The ordinance passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 13 Negative 0 Abstain 0

Ordinance Number 56.112.12 was co-sponsored by Council Member Konev.

Council Member Commisso asked for passage of ORDINANCE NUMBER 53.102.13 (AN ORDINANCE AUTHORIZING AND DIRECTING THE GRANT OF A PERMANENT EASEMENT TO 73 ORCHARD AVENUE OVER, UPON AND UNDER A PORTION OF THE CITY RIGHT-OF-WAY OF ORCHARD AVENUE IN THE CITY OF ALBANY), which had been previously introduced.

The ordinance passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 13 Negative 0 Abstain 0

Majority Leader Herring made a motion to change the order of business to allow for the consideration of RESOLUTION NUMBER 95.112.13R, which was approved by unanimous voice vote.

Council Member O’Brien introduced RESOLUTION NUMBER 95.112.13R, asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL ISSUING A NEGATIVE DECLARATION IN ACCORDANCE WITH ARTICLE 8 OF THE ENVIRONMENTAL CONVERSATION LAW (SEQRA), AND ITS IMPLEMENTING REGULATIONS REGARDING THE PROPOSED REZONING OF THE PROPERTY LOCATED AT 182 NORTH ALLEN STREET

WHEREAS, Ordinance 45.92.13 was introduced by the City of Albany Common Council on September 16, 2013, which proposed rezoning the property located at 182 North Allen Street from One- and Two-Family Family Residential District (R-2A) to Neighborhood-Commercial District (C-1), and

WHEREAS, the Common Council declared itself Lead Agency for coordinated review at a public meeting held on November 4, 2013 in connection with the proposed rezoning; and

WHEREAS, the Common Council received a short Environmental Assessment Form (short EAF), in conjunction with said proposed rezoning; and

WHEREAS, the proposed rezoning was the subject of a Public Hearing held by the Common Council on October 21, 2013, where public comment was received; and

WHEREAS, the action is subject to the provisions of the State Environmental Quality Review Act (“SEQRA”), as set forth in Environmental Conservation law Article 8, and its implementing regulations; and

WHEREAS, the rezoning is determined to be an Unlisted action pursuant to SEQRA; and

WHEREAS, the record demonstrates that the rezoning will not have a significant adverse environmental impact, and that a Negative Declaration of Environmental Significance should be issued.

NOW, THEREFORE, BE IT RESOLVED, that based upon the review and consideration of the short Environmental Assessment Form and public comments, the Common Council finds and declares the action to be Unlisted pursuant to the New York State Environmental Conservation Law, and its implementing regulations, and having duly considered the entire record before it, declares that the rezoning the properties located at 182 North Allen Street from One- and Two-Family Family Residential District (R-2A) to Neighborhood-Commercial District (C-1), has no potentially significant adverse impacts upon the environment, as that term is defined in SEQRA, will not require the preparation of a full Environmental Impact Statement and therefore issues a Negative Determination of Environmental Significance.

RESOLVED, that this resolution shall take effect immediately.

The resolution passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 13 Negative 0 Abstain 0

Resolution Number 95.112.12R was co-sponsored by Council Member Konev.

Council Member O’Brien asked for passage of ORDINANCE NUMBER 45.92.13 (AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATION OF 182 NORTH ALLEN STREET FROM ONE- AND TWO-FAMILY FAMILY RESIDENTIAL DISTRICT (R-2A) TO NEIGHBORHOOD-COMMERCIAL DISTRICT (C-1) AND AMENDING THE ZONING MAP ACCORDINGLY), which had been previously introduced.

The ordinance passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Commisso, Conti, Fahey, Golby, Herring, Igoe, Konev, O’Brien, Rosenzweig, Sano and Smith

Affirmative 13 Negative 0 Abstain 0

Ordinance Number 45.92.13 was co-sponsored by Council Member Konev.

Council Member Sano moved to amend ORDINANCE NUMBER 50.101.13 and as amended, asked for passage and a roll call vote thereon:

AN ORDINANCE ADOPTING THE BUDGET AS PRESENTED BY THE MAYOR ON OCTOBER 1, 2013, WITH AMENDMENTS, FOR FISCAL YEAR 2014

The City of Albany in Common Council convened, does hereby ordain and enact:

Section 1. The budget as presented by the Mayor on October 1, 2013, is hereby adopted as and for the Budget of the City of Albany for fiscal year 2014 with the following amendments.

<u>ADDITIONS TO EXPENDITURES</u>	Account #	Amount
Increase Stipend for Assessment Review Board	A1356.7450	\$ 5,000.00
Add Position of Policy/Fiscal Analyst	A1010.7120	\$ 40,000.00
Changes to Social Security Line Items	A1010.7801	\$ 3,060.00
Changes to Health Insurance Line Items	A1010.7804	\$ 15,355.00
Subtotal Additional Expenditures		\$ 63,415.00
<u>REDUCTIONS TO EXPENDITURES</u>	Account #	Amount
Reduce Temporary Help Line	A1010.7170	\$ 10,000.00
Contingency Account	A1900.7448	\$ 49,215.00
Subtotal Reductions to Expenditures		\$ 59,215.00
<u>ADDITIONS TO REVENUES</u>	Account #	Amount
Increase Fees for Stadium Use	A0000.2025.01	\$ 4,200.00
Subtotal Additions to Revenues		\$ 4,200.00
Net Budgetary Effect		-0-

Section 2. It is hereby ordered and directed that the sums set forth therein as expenditures are hereby appropriated in the amounts and for the several departments, offices and purposes specified therein.

Section 3. It is further hereby ordered and directed that the sums set forth therein as revenues and the moneys necessary to be raised by tax in addition thereto to pay the expenses of conducting the business of the City shall be and are hereby applicable in the amounts specified for the purpose of meeting said appropriations.

Section 4. This ordinance shall be effective immediately.

**Note: Council Members Konev, Calsolaro, Golby, Commisso, O'Brien, Conti and Sano spoke on this ordinance prior to passage.*

The ordinance passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Commisso, Conti, Fahey, Golby, Herring, Igoe, O’Brien, Rosenzweig and Sano

Negative – Calsolaro, Konev and Smith

Affirmative 10 Negative 3 Abstain 0

The remaining ordinances on the agenda were held at the request of Majority Leader Herring.

CONSIDERATION OF RESOLUTIONS

Council Member Sano introduced RESOLUTION NUMBER 96.112.13R, asked for passage and a roll call vote thereon:

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ALBANY
EXPRESSING CONCERNS ABOUT THE RAIL TRANSPORT OF CRUDE OIL,
ETHANOL, AND OTHER HAZMAT MATERIALS THROUGH THE CITY**

WHEREAS, the tragic Lac-Mégantic, Québec rail explosions on July 6, 2013 have highlighted previously under-appreciated risks to communities and the environment; and

WHEREAS, the shipment which exploded is part of the predicted, and, already-begun, massive increase in rail shipments of hydrofracked crude oil across the North American continent. These shipments originate from Western sources, particularly the Bakkan oil fields of North Dakota, and move to East Coast ports and refineries from Delaware to New Brunswick; and

WHEREAS, the runaway cars from a crude oil unit train which derailed in the town of Lac-Mégantic, Québec and caused 47 deaths and major casualties from explosions and fires, was going through Canada and the State of Maine. It reportedly began in North Dakota's Bakken oil fields and was en route to a refinery in St. John, New Brunswick. So far it is unknown exactly which US and Canadian cities were on the transcontinental route; and

WHEREAS, the destruction and deaths in Lac-Mégantic, Québec was caused by the explosion of only about nine runaway crude oil rail tank cars from a larger train; and

WHEREAS, the crude oil trains which arrive in Albany twice per day usually consist of eighty rail tank cars, far more than the number which destroyed Lac-Mégantic; and

WHEREAS, Albany, New York has become a major rail tanker end point where hydrofracked crude oil from the Bakkan oil fields in North Dakota is off-loaded from tank car trains onto ships at the Port of Albany. Already, this shipment flow has reached over a million gallons every day and more is predicted; and

WHEREAS, many citizens and officials are now weighing anew the safety risks of these shipments, scrutinizing the adequacy of existing safety regulations and infrastructure in terms of not only crude oil, but all of the most hazardous rail cargoes which pose the highest risks to communities and the environment; and

WHEREAS, most of the highly flammable and explosive cargoes which arrive in the City of Albany do so in DOT-111 rail tank cars. These tank cars are designed for general purpose liquid

transport, not for hazardous cargos, and these tank cars have been involved in at least ten disastrous crashes causing deaths, fireballs, and destruction. These tank cars have been officially recognized as unsafe for hazardous materials for thirty years, and this official recognition has included a crash analysis and recommendations by the National Transportation Safety Board on March 2, 2012; and

WHEREAS, the citizens and public officials of the City of Albany have earlier evidenced a strong concern to know, for emergency planning purposes, what volumes of the most dangerous rail cargoes traverse the city and/or are present as storage in transit, when, in October 2007, the Common Council unanimously passed Resolution Number 67.101.07R(MC), requesting federal officials to: investigate risks, hold public hearings, seek input from local officials, and require the US Department of Homeland Security to designate Albany as an area of risk, and, whereas this resolution produced few positive results; and

WHEREAS, after the Common Council passed its resolution, Congress enacted a preemptive federal law, H.R. 1 Section 1551, in 2007 which directed the railroads operating in the U.S. to select the "safest and most secure routes" traversing major urban areas, but granted them unilateral authority to make urban routing decisions without consulting local and state officials, using several safety and security criteria which the railroads can weight as they wish, with no significant federal oversight, and with no obligation to reveal these routing decisions to city officials or the public, such that virtually all US citizens are kept in the dark regarding whether their cities are being protected by re-routing or not; and

WHEREAS, the major U.S. and Canadian railroads have several major routes across the continent, but currently no public official at any level has any role in assessing the comparative risks of different routes nor input as to which routes shall be used; and

WHEREAS, citizens of Albany have not been informed whether our railroads have chosen to re-route their most dangerous cargoes away from the city onto available alternative routes. Citizens are also in the dark as to whether these cargoes include crude oil or ethanol, and public officials and citizens have not been informed about exactly which cargoes are being-re-routed, or which hazmat cargoes continue to traverse the city and the worst case scenarios of these transports; and

WHEREAS, in response to longstanding public demands for information on the volumes of the most dangerous hazmat shipments through communities, in part so that local emergency responders and hazmat teams can reasonably prioritize their training, the Association of American Railroads, including both Canadian and American railways, has published guidance to the railroads in Circular No. OT-55-1 (2010) on how, utilizing their impressive computerized cargo tracking historical data, they should provide such information on the 25 most dangerous local cargoes to the officials of communities which request it, but with proviso that the information not be shared with the public and with no information on the worst case scenarios of the cargoes; and

WHEREAS, both the July 2013 Lac-Mégantic rail disaster and the April 2013 West, Texas fertilizer facility disaster showed that an un-informed community can suffer unexpected disaster impacts, and should not have to learn about the worst case scenario blast zones for their respective major hazards by actually experiencing the blasts and their tragic impacts; and

WHEREAS, numerous potential causes for hazardous rail cargo accidents in Albany exist, the possibility of intentional terrorist or criminal causes of major explosions and destruction also exist, and could easily exceed the risks from accidents; and

WHEREAS, the Chlorine Institute, the trade association of only one major sector of the chlorine industry, has uniquely demonstrated responsible corporate citizenship by providing on its website for free download its long-published Pamphlet 74, showing the worst case scenarios of all the chlorine containers in commerce, including the standard 90-ton chlorine rail tanker, which the document shows can release a deadly, toxic, and ground-hugging gas cloud 15 miles downwind and 4 miles wide; and

WHEREAS, at a meeting of the Public Safety Committee of the Albany Common Council on August 1, 2013, the Fire Chief of the City of Albany stated to the Committee that the City of Albany Fire Department has standing agreements to access firefighting foam equipment and materials from several nearby municipalities, yet does not, within its own Department, have adequate foam to fight even a moderate rail train fire.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany:

1. Will investigate and discuss hazardous materials rail safety and security issues for municipalities and citizens in this post-Megantic era.
2. Will promptly request information from the railroads.
3. Will instruct its citizens and emergency responders on how to access and use the resources currently available to identify and assess the risks of these cargoes.
4. Will work with other municipalities and associations of municipalities and public officials to reduce risks of the cargoes entering and being stored within the City of Albany and other municipalities.
5. Will assess our capabilities and the costs to prepare for and to respond fully to emergencies at Worst Case Scenario levels with crude oil, ethanol, chlorine and other hazardous rail cargoes.
6. Will examine legal methods whereby the Port of Albany, owners of relevant rail tanker cars, and others who impose significant threats upon the citizens of the City of Albany can be required to pay the full fire, planning, training and emergency protection costs which their activities are currently imposing upon the taxpayers.
7. Will examine the insurance and other financial abilities of the rail and shipping companies to pay for damage to highways, bridges, landmark buildings, and other infrastructure, should an explosion happen in Albany.

BE IT FURTHER RESOLVED, that the Common Council of the City of Albany commends United States Senator Charles Schumer and Albany Mayor Jerry Jennings for their press statements on July 22, 2013 supporting the rapid phase-out of the “tragically flawed” DOT-111 model rail tank cars in the shipment of crude oil, ethanol, and other hazardous materials from Albany and other cities within New York State and the adoption by the US Department of Transportation and the Association of American Railroads of the three recommendations for the strengthening of existing and new DOT-111 rail tank cars by the National Transportation Safety Board.

**Note: Council Members Calsolaro and Sano spoke on this resolution prior to passage.*

The resolution passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Sano and Smith

Affirmative 11 Negative 0 Abstain 0

Resolution Number 96.112.13R was co-sponsored by Council Members Calsolaro, Konev, Bailey, Commisso, Conti, Fahey, Freeman, Golby, Herring, Igoe, Jenkins-Cox, O'Brien, Rosenzweig, and Smith

Council Member Smith introduced RESOLUTION NUMBER 97.112.13R, asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL REAPPOINTING DAVID A. ROZEN AS A MEMBER OF THE CITIZENS' POLICE REVIEW BOARD

NOW, THEREFORE, BE IT RESOLVED, that David A. Rozen be and hereby is reappointed as a member of the Citizens' Police Review Board for term of office expiring October 26, 2016.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

The resolution passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Sano and Smith

Affirmative 11 Negative 0 Abstain 0

Resolution Number 97.112.13R was co-sponsored by Council Members Calsolaro, Conti, Fahey, Golby and Konev.

Council Member Golby introduced RESOLUTION NUMBER 98.112.13R, which was held:

RESOLUTION OF THE COMMON COUNCIL AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH VERIZON WIRELESS FOR THE USE AND OCCUPANCY OF A PORTION OF CITY PROPERTY IN CONNECTION WITH THE INSTALLATION AND SITING OF A CELLULAR ANTENNA ATOP THE STEAMER 10 THEATER

RESOLVED, that the Mayor be and he is hereby authorized and empowered to enter into a lease agreement with Verizon Wireless as lessee for the use and occupancy of a portion of City property in connection with the installation and siting of a cellular antenna atop the Steamer 10 Theater in a form and upon such terms and conditions as are approved by the Corporation Counsel together with such other forms, documents and agreements necessary to amend, supplement, renew and otherwise effectuate the same.

RESOLVED, that the use and occupancy of this property by Verizon Wireless may be subject to the approval of the appropriate departments of the City of Albany, in accordance with all local, state and federal regulations.

Council Member Calsolaro moved to amend RESOLUTION NUMBER 92.111.13R, and as amended asked for passage and a roll call vote thereon:

RESOLUTION OF THE COMMON COUNCIL URGING GOVERNOR CUOMO TO ADVANCE A RENEWABLE ENERGY ECONOMY IN NEW YORK STATE

WHEREAS, New York State has historically led the nation in matters of advancing social progress, including the abolition of slavery, women's suffrage, civil rights and environmental stewardship; and

WHEREAS, scientific evidence shows that the heavy industrial process of unconventional gas extraction by hydraulic fracturing poses serious risk of water contamination, air pollution, and health impacts; and

WHEREAS, the New York State Medical Society, representing 30,000 medical experts, the American Academy of Pediatrics of New York, the American Lung Association of New York and many independent medical experts and scientists have called on Governor Andrew Cuomo and the New York State legislature to continue New York's moratorium on hydraulic fracturing and to conduct further health studies including a comprehensive health impact assessment; and

WHEREAS, in addition to emissions of carbon dioxide and other heat-trapping gases associated with gas development activities, hydraulic fracturing could effectively create an additional unfunded state mandate – as has been raised by the New York State Association of Counties - by imposing costs and strains on municipalities such as road damage and increased demands on municipal services, etc; and

WHEREAS, New York communities have been significantly affected by the impacts of Hurricanes Irene and Sandy as well as lesser storms including Tropical Storm Lee, extreme weather events that are connected to/exacerbated by climate change due to increases in heat-trapping gases in the atmosphere, costing New Yorkers tens of billions of dollars in damages and lost business opportunities; and

WHEREAS, significant action is necessary to address climate change, action which the federal government has to date failed to take, including energy conservation and advancing a clean energy infrastructure and making a significant economic transition to renewable sources; and

WHEREAS, expansion of renewable energy and energy efficiency present the opportunity to create a significant number of jobs for New Yorkers and for New York State to lead the nation on a visionary energy policy that will protect our water, air, land and public health while developing climate solutions; and

WHEREAS, New York State currently derives approximately 18.6 percent of its electrical power from renewable hydroelectric energy sources including local hydro power facilities in Vischers Ferry, Cohoes, and Green Island; and

WHEREAS, New York State has developed approximately 4 percent of its electrical power from renewable sources other than hydro power to include wind power, solar power and bio-mass power; and

WHEREAS, New York State has developed a wind power capacity of approximately 1700 mega watts with additional capacity under construction or proposed; and

WHEREAS, New York State has in recent years invested approximately \$250 million throughout the state for heating efficiency in state government buildings, municipal buildings, and school buildings; and

WHEREAS, Governor Cuomo's Administration has already demonstrated significant leadership on innovative clean energy programs including the investment of \$1.5 billion in New York Sun, opening 360 electric vehicle charging stations that will be available for both public and county fleet vehicles and establishing the successful Regional Economic Development Councils; and

WHEREAS, the City of Albany will work with Governor Cuomo and New York State Agencies as is most effective to implement existing renewable energy and efficiency programs as well as to partner on economic development initiatives including the New York State Regional Economic Development Councils as a vehicle to catalyze investment and jobs programs.

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany urges Governor Cuomo and the New York State agencies which he leads to take swift action in developing and adopting an economic development plan that will significantly reduce the state's greenhouse gas emissions as well as rapidly create and deploy renewable energy and energy efficiency programs throughout municipalities in New York State; and

BE IT FURTHER RESOLVED, that the City of Albany stands ready to work with the Governor to achieve these goals that will in the process create safe, sustainable jobs for New Yorkers and pioneer the path forward for the nation to solve the climate crisis and provide real, clean solutions for generations to come.

The resolution passed by unanimous voice of the following Council Members:

Affirmative – Bailey, Calsolaro, Conti, Fahey, Golby, Herring, Igoe, Konev, O'Brien, Sano and Smith

Affirmative 11 Negative 0 Abstain 0

Resolution Number 92.111.13R (As Amended) was co-sponsored by Council Members Bailey, Conti, Fahey, Golby, Herring, Konev, Sano and Smith

The remaining resolutions on the agenda were held at the request of Majority Leader Herring.

MISCELLANEOUS AND UNFINISHED BUSINESS

Majority Leader Herring offered the following, which was adopted by unanimous voice vote:

RESOLVED THAT THE FOLLOWING PERSONS BE AND HEREBY ARE APPOINTED COMMISSIONERS OF DEEDS FOR THE CITY OF ALBANY, NEW YORK FOR THE TERM ENDING DECEMBER 31, 2014, AND WAIVE THE READING OF THE NAMES:

1. Anthony Ferrandino, 112 State Street Room 800, Albany, NY 12207, Albany County Department of Finance.
2. Daniel Plaat, 185 Elk Street, Albany, NY 12210.

President Pro Tempore Conti acknowledged Chairman Sano and Members of the Finance, Taxation and Assessment Committee for their work on the 2014 budget.

Council Member Calsolaro discussed SNUG and the large amount of people who came out to speak on the program.

ADJOURNMENT

President Pro Tempore Conti made a motion to adjourn. President McLaughlin, hearing no objections, stated that the meeting was adjourned.

A true record of the Common Council Minutes of November 18th, 2013.

CASHAWNA PARKER
SENIOR LEGISLATIVE AIDE TO THE
ALBANY COMMON COUNCIL